

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NILE GARY

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of the Social Security
Administration,

Defendant.

CIVIL ACTION

No. 12-5446

ORDER

AND NOW, this 8th day of November, 2013, upon consideration of Plaintiff's Request for Review (Doc. No. 11), Defendant's Response to the Request for Review (Doc. No. 12), Plaintiff's Reply (Doc. No. 14), the Report and Recommendation of Magistrate Judge Linda K. Caracappa (Doc. No. 15), Defendant's Objections to the Magistrate Judge's Report and Recommendation (Doc. No. 18), Plaintiff's Response (Doc. No. 20), and after an independent review of the record, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Plaintiff's Request for Review is **GRANTED**; and
3. The case is **REMANDED** in accordance with the fourth sentence of 42 U.S.C. § 405(g) to the Commissioner of the Social Security Administration for

proceedings consistent with the Report and Recommendation of Magistrate Judge
Linda K. Caracappa.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE